

# PUBLIC SUBMISSION

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**Docket:** EPA-R03-OW-2010-0736

Draft Chesapeake Bay Total Maximum Daily Load

**Comment On:** EPA-R03-OW-2010-0736-0001

Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

**Document:** EPA-R03-OW-2010-0736-0670

Comment submitted by Jodi L. Reese, PE, CET Engineering Services

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## Submitter Information

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## General Comment

Will jurisdictions be given more time to adequately develop the final WIPS?

The length of time provided to the jurisdictions for the development of the Watershed Implementation Plans was wholly inadequate and inappropriate, given the level of detail needed by EPA to satisfy "reasonable assurance". The nutrient allocations were released from EPA on July 1, 2010 and the sediment allocation on August 13, 2010. This is significantly later than the scheduled 2007 release of Phase 5 of the model and corresponding allocations to the jurisdictions! Draft WIPs were due to EPA on September 1, 60 days after receiving the nutrient allocations. So while EPA was able to substantially miss their schedule by years, jurisdictions were not afforded any additional time. Additional time must be provided to the jurisdictions to complete their WIPs in order to adequately address issues and avoid the unachievable backstop provisions that EPA has placed in the draft TMDL.

The Public Comment Period needs to be extended beyond 45 days.

The truncated public comment period of 45 days is totally inadequate and inappropriate. On September 24, 2010 EPA made available the draft Chesapeake Bay TMDL. The body of the report is 365 pages in length with 23 appendices totaling 262 pages that include seven tables with a total of approximately 22,000 rows of data and information in those tables. Three of these tables list cap loads for all point sources, significant and insignificant. There are 4,390 insignificant point sources listed in these tables that are unlikely aware of their inclusion and their need to review and comment on the TMDL. Forty-five days is not adequate to ensure that contact is made with appropriate representatives of these dischargers.